IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 287 of 2003

For Approval and Signature:

Hon'ble MR.JUSTICE RAVI R.TRIPATHI

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

VITTHALBHAI DHARMSINH KOLI

Versus

MANAGER/OWNER, GANESH HAND PROCESSOR AND DYING WORKS

Appearance:

1. Special Civil Application No. 287 of 2003

MR PK SHUKLA for Petitioner No. 1

RULE SERVED BY DS for Respondent No. 1,3

Mr.Digant P. Joshi, ASSISTANT GOVERNMENT PLEADER for Respondent No. 2

CORAM : MR.JUSTICE RAVI R.TRIPATHI

Date of decision: 25/03/2003

ORAL JUDGEMENT

The present petition is filed by one Vitthalbhai Dharmsinh Koli seeking compliance of the order passed by the Labour Court, Ahmedabad dated 30.6.2001 in Reference (LCA) No.715 of 1996 whereby the learned Judge of the Labour Court was pleased to allow the reference and ordered reinstatement of the petitioner with continuity of service and full back wages and cost of Rs.150/-. Though rule is served on respondent no.1, he chose to remain away from the proceedings of this petition. Respondents no.2 & 3 are represented by the learned Assistant Govt. Pleader, Mr. Digant P. Joshi. Mr.Joshi produced on record a copy of the letter dated 5.3.2003 addressed to the Govt. Labour Officer, Ahmedabad by the Labour Commissioner, Gujarat State, Ahmedabad, whereby under sec.34(1) of the Industrial Disputes Act, the Govt. Labour Officer was authorised to file complaint. Mr.Joshi further informs that pursuant to that authorisation the Govt. Labour Officer has filed Criminal Case No.3453 of 2003 on 15.3.2003 in the Court of the learned Metropolitan Magistrate, Court No.6. In view of that nothing further survives in the matter. The petition is disposed of accordingly. Rule is discharged. No order as to costs.

(Ravi R. Tripathi, J.)

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